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July 29, 2008

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† RESPONSIBLE PARTNERS FOR  
NEW JERSEY OFFICEFILE NO.: 11972.0004  
REPLY TO: New York**BY ECF AND FEDERAL EXPRESS**The Honorable Gerard E. Lynch  
Daniel Patrick Moynihan  
United States Courthouse  
500 Pearl Street, Room 910  
New York, New York 10007Re: *E. Cafarella v. Fieldston Operating LLC, et al.*  
Index No.: CV-08-00233

Dear Judge Lynch:

This office represents Defendant Fieldston Operating LLC ("Fieldston") in the above action against Plaintiff Eileen Cafarella.

The parties are diligently proceeding through discovery. However, we respectfully request a sixty-day extension of time, from Friday, August 1, 2008 until Tuesday, September 30, 2008, to complete fact discovery and take depositions. It should be noted that this is Fieldston's first request, and Plaintiff has consented to the extension. Accordingly, this extension, if granted, will affect other dates in the Civil Case Management Plan. Therefore, I have enclosed a Proposed Revised Scheduling Order with this letter, in accordance with Your Honor's Individual Practices in Civil Cases. Please note that Defendant has proposed, with Plaintiff's consent, three weeks instead of one to serve and file reply papers in a dispositive motion.

We also request that the conference originally scheduled for Friday, August 8, 2008 at 10:30 a.m. be adjourned until after fact discovery is completed, which would be the first week in

October.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "CP Wallitt". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Caroline P. Wallitt (CW-2065)

Enclosure

cc: David Abrams, Esq. (DA-8126)  
Leonard M. Rosenberg, Esq. (LR-6910)  
Marianne Monroy, Esq. (MM-0162)

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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

----- X  
E. CAFARELLA,

Plaintiff,

- against -

FIELDSTON OPERATING LLC A/K/A  
FIELDSTONE OPERATING LLC A/K/A  
FIELDSTON LODGE NURSING HOME A/K/A  
FIELDSTONE LODGE NURSING HOME,

Defendant.  
----- X

**PROPOSED SCHEDULING ORDER**

CV-08-233

This Proposed Scheduling order incorporate the sixty-day discovery extension agreed to between the parties.

- All fact discovery is to be completed by Tuesday, September 30, 2008.
- Depositions to be completed by Tuesday, September 30, 2008.
- Experts are to be designated by Tuesday, October 14, 2008, and experts' reports exchanged no later than Friday, October 31, 2008.
- Dispositive Motions are to be served and filed by Monday, December 1, 2008.  
Answering papers are to be served and filed by Monday, December 29, 2008. Reply

papers are to be served and filed by Monday, January 19, 2009.

SO ORDERED:

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GERARD E. LYNCH  
United States District Judge